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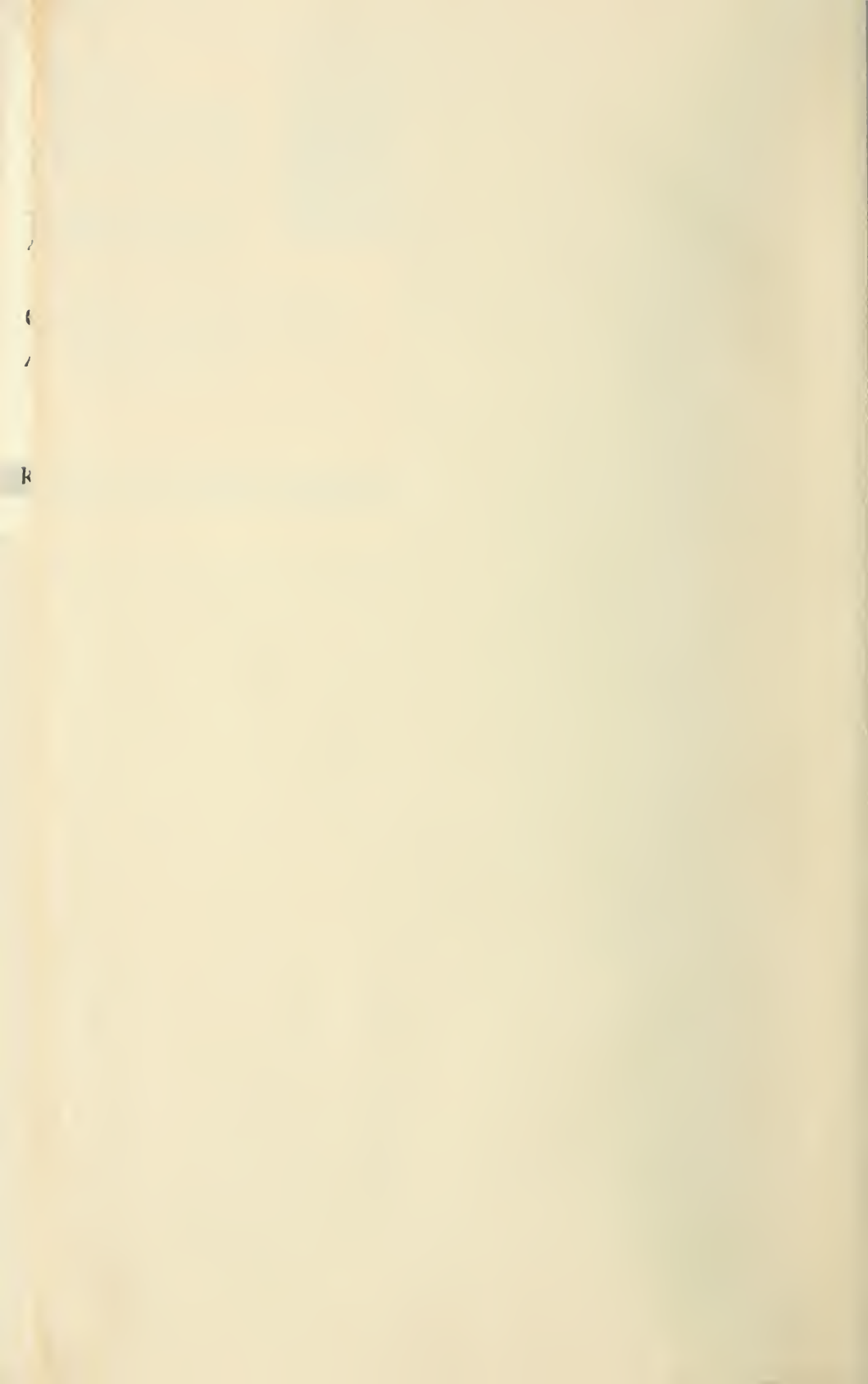


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CONSIDERATIONS
ON THE
THEORETICAL SPIRIT OF THE TIMES;
ON THE
INEFFICACY OF THEORY
TO THE
FORMATION OF CIVIL GOVERNMENT;
ON THE
Doctrines of Liberty and Equality;
ON THE
DIFFERENT KINDS OF GOVERNMENT;
AND ALSO,
On the Pre-eminent Merits
OF THE
BRITISH CONSTITUTION.

BY
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CONSIDERATIONS

ON THE

Theoretical Spirit of the Times, &c.

WHEN the press teems with political obloquy, and obscure societies of men vent censures and discontent among a people, it is no uncommon observation to suppose, that the errors of the government, or the abuses of its ministers, warrant complaint, and authorise remonstrance. But if we examine the history of every free nation, we shall find, that there have been men whom no policy could satisfy, nor no sense of public propriety soothe into silence; and that for one man who has distinguished himself by commendations of the civil policy of his country, numbers have in the patriotic cant of the day,

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assumed

assumed the right to rail, and the privilege to condemn. The invidious eye, with which power is viewed by the lower orders, and the false impressions which they receive of its abuses, are generally the springs from whence flow these murmurings. The evils of power are obvious to the meanest capacity, and the lowest ignorance can comprehend the corruption of ministers, and the venality of parliaments. But it requires education and sagacity, to consider and understand aright the nature of human associations; to know that it is human imperfections which make governments necessary; that the worst passions are the most active and vehement, and operate upon men's minds with greatest force; that pride, avarice and cruelty, are often among the governors; and envy, ignorance and obstinacy, among the governed;—that injustice and selfishness sway both with equal influence; that men are neither wise nor honest enough to prosecute their objects of advantage, without the guidance and dread of superior controul;—and also to know, that from the depravity of man, the most grievous events are inseparably annexed to the very nature of governments; and that without them, none can be established, maintained, or upheld,

without

without first changing that depravity into perfection, and making an utter revolution in the nature of man.

It is upon this account, that the ignorant and tumultuous alone are prone to run into seditious, combinations, and factious professions ; while the wise man, however disposed to lament political evils, knows to every extent of conviction, that they can only be moderated, but not prevented ; that he himself must yield to them, and that while he submits, he should endeavour only to mitigate what the great Author of all being has thought proper to blend with the very essence of human ordinations ; and this is to be effected by an honest and peaceful discharge of his moral duties, and not by leading opposition, and zealous contest.

THERE has never been any æra of the world, which has not been distinguished by some predominant opinions in religion or politics. The present times are so far from being unlike the foregoing, that their character seems impressed with aggravated traits of danger. A petulant spirit of political enquiry, excited without previous knowledge, but pursued through a zeal for innovation ;
a pre-

a predetermined spirit of dislike to established modes of civil policy, and a fantastic formation of wild theories, to which the instruction of ages is to bend, form the leading affectation of our modern legislators. It is not enough that the experience of time, should have ratified by the most felicitous events, the merits of a government; but these are to be estimated by some capricious theory, and where they do not conform to its ideal rectitude, the government is to be deracinated, and the theory planted in its place. The mixed influence of education and habit is decried; some of the most becoming feelings of the social character, are mocked at as obsolete sensations; all the decorous ornaments of society are threatened with destruction; and with them, all those graces and bland intercourses, with which polished sentiment and improved opinion, have adorned life. Grossness, bluntness, violence and outrage, are to succeed and trample on the spoils torn from man, improved into elegance, and softened into urbanity.

THE present wreck of society in *France*, where these changes have been so sadly instanced, instead of affording a terrifying warning, seems to be considered by some as an enviable example of
civil

civil liberty. The practically enjoyed happiness of ages, resulting from a constitution which has forwarded the finest energies of a people, which has rendered them intrinsically great, and relatively powerful, is overlooked, and not allowed to hold any weight in the balance of theory.—An adscititious and unreal elevation, is preached to the lower orders; and that rank of men, from whom description draws its pictures of content and happiness, is disquieted by the delusions of impracticable equality, and ungovernable liberty.

PLAUSIBLE statements, accoutred with the trappings of novelty, when seditiously urged, go farther in debauching the judgments of the poor and the ignorant, than it is almost without the power of truth and argument to rectify.—Minds uninstructed, and limited to professional industry, are not, nor cannot be generally competent, to discern all the perplexing subtleties of disputation. To assert, is almost to convince; and the more so, when any change is recommended which promises them new rights, where-with they may contend with the more exalted ranks in society. It is easy to conceive such minds inflated with a fallacious importance,
when

when they are informed in all the pomp of *French* wisdom, that all men are equal; that equality and liberty are the right of all; and that the institutes of society, which restrain those principles, should be broken up, to make room for their amplest enlargement.

To make men happier or better, is too humble an aim to induce the labours of the *French* legislators, and their abettors in this country. But to exercise ruinous theories of abstract and visionary competence—to urge these in full opposition to the feelings of the humane and the wise—to make public uproar, with its probable consequences of rapine and blood, the means of moving to imaginary advantages, are the principles which now draw together the discontented and the desperate, and which convene into clubs those wicked enthusiasts, who would overturn our government, to remould it with violent and capricious hands.

OPPRESSED with a load of bad laws which lent but a limited and doubtful protection to the subject, *France* beheld with a jealous eye the freedom of *Britain*. The mild influence of *Louis XVI.* while it mitigated the rigours of despotism,

potism, gave a growing relish for defined liberty, instead of a gratuitous safety; and the co-operation of multitudinous causes marked the downfall of individual authority. When the night of despotism was dispelled, and the beam of liberty first dawned upon *France*, she hailed the light with a frantic adoration. The hymn of freedom was chaunted through the land, and the new enthusiasts wanted but the guidance of wisdom to lead them to order, peace, and prosperity. The magnificent example of *English* government lay before them. They had a King, Lords, and Representatives of the people; and little was wanting to modify them to the exertion of individual power and collective controul. But the *ignis fatuus* of theory deluded them with seeming and unsubstantial advantages, and the dæmon of anarchy held them in their perplexities. *France* had but few statesmen. Brilliant sheets of theoretical perfection imposed on the people; but their promises were violated by practice. Contending factions made the public delusion the means of elevating themselves to temporary and precarious power, and while the nation was convulsed by struggling efforts of ambition, the Nobles were ruined, the Clergy pillaged, and the
King

King dethroned. Security fled, and property was laid open to all outrages—and this in contempt of the spirit of the *Declaration of Rights*.

IN that Declaration it is mentioned, that no man can be punished but in virtue of a law established, and promulgated prior to the offence, and legally applied. But notwithstanding this profession, the *National Assembly* decreed, that disobedience to their laws in the Colonies, “ shall “ be regarded as high treason; and those who “ shall render themselves guilty, shall be sent to “ *France* to be tried according to the rigour of “ the law.”

INJUSTICE and tyranny are so manifestly blended in this decree, as to preclude the necessity of comment. The freedom of the press, which has ever been regarded as the bulwark to public liberty, cuts no inconsiderable figure in theory. But practice has contradicted it by woeful acts; for all publications were silenced which were not of the *Jacobine* party, and their authors murdered. In this country, the meanest peasant has his cottage protected by the law, and has a right to resist any violence intended against its peace. But observe the conduct of the executive party in *France*.

France. With the scroll of the *Rights of Man* in their hands, they decree, “ That the municipa-
 “ lities are authorized to search the houses of all
 “ persons for arms, and to take account of hor-
 “ ses and carriages applicable to the war.” This
 was legalizing spoil and pillage, and devoting
 every house to the plunder of an armed and fe-
 rocious mob.

TAKE the Declaration of Rights, and examine
 it article by article ; take each avowal of the na-
 tural and imprescriptible rights of man, as it is
 written, and I will be bold to say, that there is
 not a given article of them which has not been
 infringed with heinous aggravations of the most
 bloody tyranny :—the very opposite to each flo-
 rid profession, has been realized. The right of
 resistance against oppression, has been perverted
 into the power to oppress. What avails the right
 to personal liberty, when every prison has been
 crowded by the summary authority of the ruling
 faction, and the wretched prisoners previously
 doomed to slaughter ? What avails the right to
 security, when that security is to be maintained
 by the gun and pike ? What avails the right of
 property, when atrocious plunder overbears the
 individual,

individual, and armed mobs become the ministers of the law? This is not the infancy of the revolution, when the temporary gust of popular phrenzy might have overthrown all order and safety;—but it is the result of four years legislation *in conformity to theory*—it is the rule and authority of ambitious mobs, counteracting each other during temporary fits of usurpation. The present outrage upon justice, in the judiciary humiliation of the King of *France*, is a crime of such magnitude, so obstinately opposite to every principle creditable to man, that it is beyond the utmost scope of apology to palliate it.

A GENEROUS indignation has pervaded all Europe; and the enthusiasm of virtue has so far agitated all nations upon this atrocious act of popular despotism, that the revenge of his wrongs is predicted with no common zeal. Justice and humanity have long since flown from *France*; now the scene of doubtful existence, and accumulated murder. Two cheating cant, *liberty* and *equality*, are imposed on a sanguinary populace; and a bloody invitation held out to all the mobs in Europe, to copy the dismal precedent of *French* confusion.

IMAGINE

IMAGINE the voice of truth to speak to the nations of Europe, and we should hear some such description of *France* as the following.

INFLAMED by the spirit of theory, we rejected government as an experimental science; we overlooked the nature of man, and endeavoured to tear from him his opinions, his customs, and his prejudices. What was right in the abstract, we have found to be wrong in the practice; and we have learned, that though principles may be speculatively right, they will in politics be always discovered to be practically wrong. This we now understand, because these principles suppose that all men act rationally and virtuously; which being positively false, whatever is built upon them must consequently fall. We professed in theory the rejection of dominion, and avowed general peace and fraternity with all mankind:—in practice, we have at home uproar, pillage, persecution, and slaughter; abroad, we wage foreign wars, have effected conquests, and overturned the governments of cities and places, without allowing the inhabitants to be judges of their own happiness; but contrary to our professions, we have committed arbitrary violence
upon

upon their minds, by forcing them to try happiness against their experience, and in conformity to our own speculations. What we cannot effect by the bold and open violence of war, we are endeavouring to do by wicked intrigue. We envy all prosperous and happy nations; we hate *Great Britain*, and we are labouring by every wicked machination, to excite a spirit of discontent and sedition in that land. All physical power consists in the mob, because they are the most numerous; and therefore we wish the *English* and *Irish* mobs to legislate. By this means, we should have a confusion like our own take place; every honourable sentiment in society would then be destroyed—nobility would be debased, and all its consequent influence in gilding the social character, utterly rubbed off—the clergy would be pillaged, and religion let loose to the discussions of ignorance and vice; its ministers reduced to so wretched a stipend, as to exclude the admission of men of learning and talents to instruct, or of men of mild ambition in doing good; and like ourselves, their senators would openly avow infidelity and Atheism: havoc and slaughter would desolate the land, and the people would soon learn that the dominion
of

of a mob for one year, involves more crimes and vices, than long reigns of single despots have ever atchieved ; and like ourselves, they would then hold to the world this awful lesson,—that to rend the bonds of society, is to let loose a crowd of vices upon a nation ; and that power, instead of being mitigated, only changes into new hands, and with distressing aggravations when it falls into many.

THIS is the true and unequivocal sketch of *French* theory, and of its effects in civil government ; and these are the benefits so prodigally promised to the nations of Europe. Every government is now threatened ; and it is the duty—the paramount obligation of every man, to repel with the most animated objection, the progress of such ruinous tenets as those which are involved in the absurd terms of *liberty* and *equality*. Surely in this land, where a chastened spirit of freedom pervades the law, and protects the people, it must be a wicked phrenzy of adoption which would prefer the cruel licentiousness of *French* theories, to the ripening benefits of a constitution, felt in practical happiness, and sanctioned by the most profitable experience.

ALTHOUGH

ALTHOUGH I have incontrovertibly proved by the horrors of *French* anarchy, the inadequacy of theory to ascertain a good form of civil government, yet it is my purpose to proceed farther, and to shew, that even taken in the abstract, theory will be found as insufficient for that end, as it has been proved to be in practice.

ANY man who supposes that right measures conceived by wisdom, and impelled by honesty, are enough to govern a people, will find himself mistaken in making the experiment even in a parish. Be his plans ever so wise, and his intentions ever so honest, he will find many factions, many interests, and many absurdities to oppose the execution of his projects in that little epitome of a nation, and he will find himself as disappointed should he pre-resolve to act without compulsion, power, influence, and gratuity, as every statesman will who sets out upon pre-established plans of theoretical policy. Every theory of government admits but of this sort of argument, either that it is true, or false. If its principles be false, it is inadequate to its purpose: but if the principles be true, the *subject* upon which they are to be tried, must be invariable in its nature; for

for if it be not invariable, the first change must alter it from the true principle, and it must consequently become unfit for it, as between true and false, there is no immediate stage. Now the principles laid down in a theory of civil government, though they should appear in the greatest degree of abstract perfection, yet they must be proved upon men; and as society is, and ever will be, in an incessant and changeful agitation, it is impossible to adapt it to that theory which is decisive in its principles, and stands in an unaccommodating perfection. Consequently all general theories on civil government, are to be rejected without partiality to their merits in the abstract. It has been asked why civil government, as well as mechanics, should not be improved by theory? * I say there is no analogy between them. In mechanics, a theory may be formed; but the subject upon which it is to be tried, is arbitrary;—that is, it can be accommodated to the doctrines of the theory, and its adequacy tried by experiment. But human society is not like a piece of wood or iron, which can be altered to the opinion of the theorist. It is in itself an active animated subject, effected by

B · · · · · adventitious

* Mackintosh Vind. Gall.

adventitious causes,—incapable of arbitrary modification, and best understood by its practical events, to which every other circumstance must in a certain degree comply. It cannot exist without government ; and government is utterly and indubitably an experimental science, involving in its nature a power of slow and easy accommodation of its particular acts, to the ruling necessities of the nation. The value of any particular sort of civil policy can only be ascertained by its practical benefits, and its advantages are not the less certain, though it should possess some imaginary deformities in the eye of theory.

THE error of most theorists consists in their reasoning, as if the actions of men were made on metaphysical speculations, and not through motives of personal advantage ; and as if moral agreements must be determined by geometrical exactness. In accounting for actions which have happened, or in predicting others, they are too prone to forget that they themselves have acted ; and instead of the incentives which urge the mind to operation, when inspired by its object, they assign as the motives of action those probabilities, and plausible causes, which occur to themselves

themselves in the sober hours of retired meditation.* They overlook the animated aids which the passions often lend to the understanding, and are regardless of those fortunate issues which spring from the ardour of sensation, and which it is so difficult to distinguish from the promptitude of happy thought. They for the most part, glance at such general systems as may bring the object of research within their own comprehensions, while they pass by the actual wants caused by the animation of society, and the vivid impressions of covenanted life. In considering society, they do not always take into thought its immeasurable complexity, but assign most wants and circumstances which they predict, to a smooth series of certain actions. Even the contending vices of society, produce good consequences which may impose on the theorist as the effects of acting virtue, if not marked with a minute eye. Envy plucks the plume from dangerous ambition; prodigality restores to the public hand, the treasures long withheld by the gripe of avarice; revenge, horrid as it is, checks by its terrors the aims of oppression; treachery discovers the mid-night villain; the perfidy of the accom-

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plice,

* Ferguson.

plice, discovers the wrong committed against the social peace; and self-interest restrains and impels the passions and purposes of the individual to the ends of government and social advantage. Self-interest, though it seduces the profligate to vicious pleasures, and lures the villain by the promises it affords, yet it is the uniting bond of all our connections civil, religious, political, and commercial.

THERE are a great number of self-evident truths, which retire into obscurity upon any attempt being made to elucidate them; and the reason is, because it is difficult to find any thing more intelligible than the thing itself. It is upon this account, that to expose the broad absurdity of this doctrine of *equality*, more dexterity of comment is required, than on subjects which conceal their weakness under the deceits of imposing sophistry.

THAT all men are born equal, is a position false to the utmost extent of fallacy. They are born neither equal in health, beauty, intellect, or condition.* Some are born beautiful and healthy;

* Soame Jennings.

healthy; others deformed and diseased; some with minds containing the seeds of wisdom and genius; others those of stupidity and idiotism; some are born to wealth and honours; others to poverty and labour. Where then is the *equality*? But if it be meant by *equality*, that at the moment of birth each man is *equal* in his incapacity to fulfil any exercise of power, what is the consequence? Does it follow as a conclusion, that they ought not to be subject to any future inequality in society? In every human association there must be government, and government is power mixed with authority. Now power is a relative term, and in this case signifies that there must be some to rule, as well as some to obey; and consequently there must be subordination and inequality in every society of men. But it is this inequality in society, which is the great bond that holds it together; for if all men were equally wise, honest, and expert in the removal of personal necessities, there would be no occasion for that mutual reliance and dependence which bind us together in families, in cities, and in nations. Examine it as we may, we shall invariably find that men are not equal in any thing, save the general principles of animal organization;

ganization ; that each man consequently has characteristic differences, and these differences exerted in society, must produce various effects, and the unequal consequences of elevation to some, and depression to others. Hence equality in society is a physical impossibility. When there existed but three men on the face of the earth, they were *unequal* in every endowment from their Creator, and in every power which existed in that helpless state of infant society. The authority of *Adam*—the innocent propensities of *Abel*—the villainy of *Cain*, exerted in the superiority of animal strength, were exercised in all their *inequalities*. But if I understand the term of *equality* in any other point of view, it is, that it makes one of the natural rights of the individual, who is supposed to cede so much natural for so much civil liberty ; but by this cession does not give up more than any other man, and consequently is *equal* to his fellow-citizens in his social character. In order to admit this, we must suppose what has never yet taken place, that all mankind, or any part of them, met by common consent, and that each individual stipulated for a certain portion of personal liberty. It is unlucky

lucky that this magnanimous principle of *equality*, should rest its base upon absurdity and impossibility. Let any man examine the stupendous draught of history from the creation, to the present day, and he cannot be able to discover that any society has been ever formed by original convention : though if he should discover it in one or two instances, I cannot see how it should operate as a precedent upon every other society in the world. It is extremely absurd to suppose, that men breaking from their wilds, and the gloom of the desert, advanced to a plain, and assembled together to ordain artificial regulations of civil society, before they could have known what society was, or what was necessary to institute for their happiness. No man can by the greatest courtesy of imagination, be conceived advancing from his solitude to the borders of some particular society, there bringing his instincts to sell, and disposing of them for the best market price of speculative advantage ; making a traffic of natural, for civil rights. Every man is born in some society or other ; and whatever rights he has, are civil rights ; these are his true natural rights ; he has no other ; for a state of civil society is more natural to man than any
other

other state. He has no rights but social rights. These the nature of man sufficiently indicate, and he can possess none repugnant to his nature; in that he acts in every condition of social existence, and he has no other existence.

SPEAKING on civil liberty, *Soame Jennings* observes, "That all men are born free, is so far
 " from being true, that the first infringement of
 " this liberty is being born at all; which is im-
 " posed upon them without their consent, given
 " either by themselves or their representatives;
 " and it may easily be shewn, that man, by the
 " constitution of his nature, never subsists a free
 " and independent being, from the first to the
 " last moment of his residence on this terrestrial
 " globe: where, during the first nine months
 " of his existence, he is confined in a dark and
 " sultry prison, debarred from light and air;
 " 'till at length, by an *Habeas Corpus*, brought
 " by the hand of some kind deliverer, he is set
 " at liberty: but what kind of liberty does he
 " then enjoy? He is bound hand and foot, and
 " fed upon bread and water, for as long a pe-
 " riod; no sooner is he unbound, than he makes
 " so bad a use of his liberty, that it becomes ne-
 cessary

“ that he should be placed in a state of the severest discipline ; first under a nurse, and then
 “ a school-master, both equal tyrants in their several departments, by whom he is again confined without law, condemned without a jury, and whipped without mercy. In this state of
 “ slavery he continues many years, and at the expiration of it, he is obliged to commence
 “ an involuntary subject of some civil government ; to whose authority he must submit, however ingeniously he may dispute her right, or be justly hanged for disobedience to her
 “ laws. And this is the sum total of human liberty. Perhaps it may be said, that all this is
 “ ingenious ridicule, and cannot be intended for serious argument ; to which I reply, that it is
 “ the most serious argument that can be offered, because it is derived from the works and the
 “ will of our Creator ; and evidently shews, that man was never designed by him to be an
 “ independent and self-governed being, but to be trained up in a state of subordination and
 “ government in the present life, to fit him for one more perfect in the other : and if it were
 “ not a reflection too serious, I should add that in the numerous catalogue of human vices,
 “ there is not one which so completely disqualifies

“ lifts him from being a member of that celestial community, as a *factious and turbulent disposition*, and an impatience of controul; which frequently assumes the honourable title of the “ love of liberty.”

IN all this, there is not one controvertible passage;—let the advocates for liberty and equality answer it if they can.

I HAVE observed, that man has no rights but social rights; because no man lives out of society. He is also laid under restraints, and bestowed privileges without his previous approbation. The restraints express the rights of society, which are, to prohibit the individual from the commission of such acts as are deemed prejudicial to the general welfare, to punish them when committed, and to claim, and even enforce his labour, ingenuity, and other aids, which may conduce to the advantage of all. The privileges which society grants him, make a sort of *tacit compact* between them, by which the safety of his person is maintained, and the security of possession. I say society *grants* him, for he has it not in his power to refuse the conditions; the terms are ascertained, and the individual must take them.

them. It is upon these grounds that every association in the world is maintained.

It has been said, as if natural and civil rights were contra-distinguished, that civil rights are founded upon natural rights. Mr. *Paine*, in common with others, has this opinion. But the fact is, as I have before observed, that civil rights are natural rights, because civil society is the natural appointment of man. Apparently the right of life is a natural right, in this sense; but even that, the rights of society, which are paramount to all others, can take away.

“ EVERY civil right,” says Mr. *Paine*, “ is grounded upon some pre-existing natural right.” This I deny. If a man rob me on the high-way, society has a right to call for the life of that man, and this right it exercises in punishing a wrong committed against the general peace. Upon what natural right is this grounded? If natural rights be as Mr. *Paine* says, they are *intellectual rights*. Upon what intellectual right is the forfeiture of a life grounded? Defining natural rights farther, this gentleman says, “ and also those rights of acting as an individual for his own comfort and happiness, which are
not

“injurious to the natural rights of others.” Now according to his arbitrary difference between natural and civil rights, possession is not a natural right, but an artificial social right; and if the robber, for his own *comfort and happiness*, should take my purse, it is not injurious to any natural right of mine; and consequently the right which society has to deprive him of life, is not founded upon a natural right—that is, as this gentleman understands natural rights. But it is a right founded upon the best basis, upon a principle established by human wisdom for human happiness, under the permission and guidance of the great Author of all things.

THE state of nature has been improperly applied to men living without polished accommodations or complicated means of civil policy. Emerging from that rude condition has been considered with equal impropriety as departing from the state of nature. But man has capacity for high improvement, and has inherently a principle of progressive perfection; and how can he be said to have departed from the state of his nature when he has but began to obey its higher propensities? The state of nature is to be found
every

every where, wherever man is to be found ; and while he is exercising the activity of his principles in operating upon the circumjacent subjects, one situation is as natural as another. In adjudging the pre-eminence of one pursuit to another, man may err. His endeavours may be misdirected and his attainments improper. But if he seek for the scale of moral rectitude to decide the propriety of his actions, he must search for it in the best explorations of his mind, and the most virtuous pulses of his heart, and not in the absurd rhapsodies of phrensiéd theorists. He will from thence learn the measure of perfection, and the degree of happiness to which he can attain ; that the state of his nature is always to be found where his faculties are exercised ; and that upon the just application of them, depend the temporary advantage of the present, and the eternal peace of the future.

CONSIDERING liberty and equality in all their views as they are pompously professed in *France*, they are absurd and impracticable, and the attempt to realize them must be pregnant with ruin. Of liberty that sort alone is admissible in a nation which is moderated and mellowed.

The

The abstract consideration of it can avail but little as to its practical expedience. I believe there is no man who will feel any great elevation of his nature by the consideration that "liberty is the power to act or not act as the mind directs." But many of us may kindle with the highest sensations when we know that we live in a free land, advancing in its progress to commerce and wealth, to arts and to science; where there is a general and tacit compact from which mutual and proportional services result universally between all those who compose the society; * where the way is open to those of the humblest orders to attain to the highest eminence of rank and emolument; and when there are no other barriers to advancement, but those which should ever be probationary checks to talents and virtue.

Of equality there is no sort admissible; nature and accident have forbid it for ever. The common wants of society must ever destroy the unnatural attempts to introduce it. Unequal property would alone destroy it, unless there should happen to be some controuling power to wrest its acquisitions from industry, and to bestow the
redundance

* Stewart's Political Economy.

redundance on ignorance and idleness—in such a state, (if such there could be) injustice must be the ruling and guiding principle.

MR. *Paine* observes that “ the mass of mankind are degradingly thrown into the back ground—but that the *artificial noble* shrinks into a dwarf before the *noble of nature*,”* It is true, the mass of mankind must ever be the poorest, because riches and honour can only centre among comparatively a few, and this is natural to every nation. In the vast picture of social variety, which is designed by nature and coloured by necessity, where contending shades determine beauty, and contrasting dyes constitute effect, each object holds its appropriate condition. Deformity exalts the graces of proportion, shade is necessary to produce light, and subordinate imperfections are hid in the grand result of the collective scene. In the retiring perspective, mean objects fade upon the sight, which touched into approach and bulk by the hand of theory, would
affright

* In this very splendid and philosophical observation, Mr. *Paine* gives a whimsical indulgence to his prejudices, and bestows on the *noble of nature* a typographical exaltation ; for that term is printed in capital letters, and *artificial noble* in small italicks.—*risum teneatis ?*

affright the eye with incongruity and disproportion. To be perfect, the picture drawn by the great artificer of man, must not be sacrificed to the corrections of the coxcomb connoisseur. Misplace one figure, new colour one tint, and the whole is spoiled for ever. The *noble of nature* must keep the *back ground*. God, and nature, and the happiness of man assign him that place, and darken one part only that the whole may be the more perfect ; and that instead of uncharacteristic brightness, the back ground may share a larger merit in determining the perfection of the entire piece.

I HAVE thus far considered in as large a scope as my purpose admitted, the impracticability of the groundless forms of new policy recommended to all Europe ; and as I cannot suppose that there can exist a doubt of their incompetence, I shall proceed to a summary consideration of those forms of government which really do exist in the world.

There have been three established forms of government generally received, which however do not actually exist in separate and elementary conditions,

ditions, but which by partial blending and admitted intermixture compose the different forms of government. Mr. *Paine* is of opinion that a boundless variety may be made out of these forms; but I differ from him. There never was a nation yet, the inhabitants of which were divided into any other orders than those of the poor, the laborious, the industrious in manufactures, the pursuers of commerce, and proprietors of ground, by which collectively is understood the people; of men of influence through the causes of great property with annexed privileges; and of some one man more elevated than the rest, whose person is rendered inviolate by the magnitude of his situation and utility. As I conceive it impossible that manufacturers, or farmers, or merchants, should either of them exclusively possess sovereign authority; they must to have any, have it by representation, and then they come under the denomination of the people; and either the people or the other two orders which I have just mentioned, signifying Nobles and a King, must individually, or by some participation possess the authority. It is obvious that as there are no other orders to possess it, they alone must; and consequently there cannot be any form of go-

vernment in which some of them do not partake of power.

It does not escape me that *America* may be urged with the appearance of confutation against what I have said here, and also upon the subject of original convention. Upon the first of these I observe, that the government of *America* is popular by fœderative representation, and that it also includes individual authority in the person of the President. It matters little whether he be called, a King or a President; or whether he has, or has not the pageantry of a court; he is a man high in civil authority, and therefore comes under one of the heads I have mentioned.

THE convention of the States of *America* lends but a very imperfect help to the new fangled doctrines of the rights of man. For in the first place there was no general consent.—They who were in power regulated as they thought proper; and they who were not acquiesced, for they had no ability to reject. The declarations of the States breathe a very theoretical spirit, but contrary and fortunate practice has rendered this innocuous to the country. For though they profess
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the equality of men at their birth, yet there is no more equality among the people of *America* than among any other people. It is true that the terms Lord, Duke, and King are not in use among them ; but I apprehend that human inequality does not consist in these words, nor equality in their rejection.

Of government, as I have observed, there are three forms ; and every fashion of civil government must partake of them more or less. Either one or two of them must predominate, or the three must act collectively. These three are, Despotism, or an absolute monarch who holds the legislative and executive power in his own person ; Aristocracy or a select and limited body with legislative powers, and recruited by election, by hereditary claim or by personal qualification ; and a Democracy or popular government, where the legislative power consists in the people collectively or representedly.

THE advantages of despotic government are, a firm undivided judgment, promptness in decision, secrecy and expedition in the execution, and suppression of intrigue and faction among ambitious men for legislative supremacy. Its defects

fects are rigorous dominion, exactions raised by caprice, and not defined in quantity or duration; prodigality, military superiority; wars waged through private passion; and a want of established and steady laws, which is injurious to property and personal security.

THE advantages of aristocracy are fewer and its disadvantages greater. Among its merits may be reckoned the political experience arising from a body of men assembled in a permanent council, for which they have been prepared by instruction and education. Its defects are principally; contentions excited through jealousy and resentment for want of a controuling power, and a most oppressive manner of authority over the lower orders.

SUCH a body politic is governed more through maxims and determined modes than through caprices of temporary opinion, and therefore as its imperfections preponderate, there is more to be apprehended than hoped from its constancy. In a despotic Prince, the error of to-day admits the hope that it may be converted to-morrow into some happy contrary of moderation and wisdom;

wisdom; and though the catalogue of despotic governors is engloomed with the dark names of *Tiberius*, *Caligula*, *Nero*, and *Commodus*, yet as it also sometimes brightens with more than opposing lustre, with the fairer names of *Vespasian*, of *Titus*, of *Trajan*, and of *Antonine*, the rigours of the present, may be softened by the expectations of the future.

THE merits of a democracy consist very much in the freedom and impartiality of the laws; in frugality, diffused commerce, and the discovery which popular assemblies afford of abilities and genius.

OF its disadvantages the following are inseparable from it, and are mixed up with its vital principles—divisions, tumults, factions, insurrections; the struggles of individuals for supreme authority; the riot and confusion attending the convention of multitudes; the tediousness, opposition, and contending discussions of the determinations of government; the corruption and dangerous arts by which popular consent is often obtained, and the difficulty of holding distant provinces so as to preclude complaint, remonstrance, disaffection, and revolt.

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THE histories of all the antient democracies abound with corroborations of these truths. In *Athens*, *Solon* had scarcely concluded his arrangement of the government, in which he reserved the largest share of power for the people, when *Pisistratus* turned this power to his own purposes, and usurped the sovereign authority. I could easily produce from the history of this city, many odious characters in democracy. It has this character in common with despotism, that the most brilliant talents meet an opposing and detracting envy, and a watchful suspicion. He whose talents saved the state, has often worked his personal ruin by the envy he excited. The headlong fury of a capricious mob, will always mark merit for persecution and disgrace. The instability, outrage, ingratitude, and detracting spirit of popular governments, are distressingly instanced in the lives of the best citizens and the greatest men. The ablest men of *Greece*—*Miltiades*, *Themistocles*, *Aristides*, *Pericles*, *Alcibiades*, and many others felt in all its varieties, the multiplied tyranny of the popular power; and that in a city renowned for its freedom, its progress in arts and science, and for producing the greatest Generals, the greatest Orators, the greatest

Poets,

Poets, and the greatest Philosophers that ever lived.

If we examine the legislative spirit of *Old Rome*, we shall find that as the popular power preponderated, the city was torn with factions and insurrections. It is nothing but a series of disastrous events, during the government of the people. To make equal rights, and to abolish all orders in the society marked with the promises of ruin a city devoted to popular outrage. Incessant insurrections and revolts attended the predominance of the plebeian power ; till at last the empire was quieted into peace by the despotism of the *Cæsars*.

THE destruction of a state is not to be prevented where the people assume the civil authority. Despotism is the positive close of such a ruinous usurpation of power. They are both extremes. Transient struggles and contentions ever terminate in the corrupt languor of a despot, and this again overstrained in the course of time, recurs to its opposite. Both are alike unhappy in their consequences. The hand of justice is as firmly bound up, and the balance as idly dropt in the prevalence of seven hundred despots.

despots rioting in faction and confusion, as in that of one of the very worst sort. The tumultuous license of anarchy, or the enforced obedience of timid submission, are equally inadequate to teach the citizen his duty to society, and his love to his fellow-men.

THE history of the world does not contain a single record, where a prevalent popular party prescribed to themselves any limits ; and it contains little encouragement for the preference of democratic government. Of that form the struggles are incessant and violent, and its duration uncertain ; and the mediations of ignorance and error, only vilify those liberal intentions of mind which it is easier to propose than to promote. It is impossible that men summoned from the low occupations of life, unskilled in politics, of no earning, or appropriate education, can be properly intrusted with the affairs of a nation. The customs of illiberal professions, which tend to degrade the mind, must introduce into councils tumult and perplexity, with abjectness and corruption.

It is difficult, while we pause over the insurmountable imperfections of the distinct forms,
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not to enquire what other form of government may be devised more conducive to the security of social peace and freedom. The lessons taught by their defects, afford the valuable discovery. Let but one order in society legislate and rule, and that is despotism; let every order interfere in the legislation, and an appointed order execute, and that is good government. Nature and reason point out the signal value of that form of policy.

BUT it may be said, that there is but one natural order in society, and that is the people; that the other orders are artificial, and ought to be conformed to the great mass. I answer, that every necessity existing in society is natural to it, and that whatever orders of men arise in society from that necessity, are all equally natural. It is the innumerable and incessant operations of society, which render unavoidable the orders amongst men; and the government is more or less perfect in the degree in which they participate in it. A Lord or a Duke, is as natural an effect of congregated man, as a mechanic. Nay, I doubt not, if they be not more so. Sentiments of heroism, honour and ambition, are mixed up
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in the human character, and whenever they operate they out-stretch, with a prevailing spirit, all other sensations. The wreath of honour is as much the meed of ambition, as the purse of opulence. Genius stretches for a vast and bold fame. The subordinate gifts of intellect exert themselves in those objects which promote taste. The natural effect of indulging taste, is the growth of luxury; and to this the mechanic contributes by his skill. Thus he is but a long removed consequence of those higher causes.

IN savage and unaccommodated life, we find even there among men, the warm exercises of these decorous sentiments, which prompt the ardour of elevation; and we cannot discover any other distinction among them, than that between the plain man, and the chief or leader, who wears badges of rank, and takes an honourable lead. It is the refined spirit of convenience and luxury in opulent and civilized nations, which gives appointment to the artificer:—this latter is the effect of habit and custom: the former is natural, and is instanced in the rude Indian, who, though he rejects dress and ornament, and wants not the mechanic, yet is ardent for fame, for character, for possession, and for

for honourable rank. The ancient *Germans*, who lived without arts, science, or civil policy, in a land covered with dreary forests and stagnant lakes,* (*aut in silvis horrida aut paludibus fœda*) had according to this prevailing instinct of ambition in man, their titles of rank and honour. They had both kings and generals: *reges ex nobilitate; duces ex virtute sumunt*. I do not know that any of these *artificial nobles* would shrink into a dwarf before the first *noble of nature* in all *Paris*. In the assemblies of the ancient *Germans*, the priests commanded silence, and had the power of enforcing it. The king, or the prince, first addressed the assembly, and then every man was heard according to the preference which his age, his nobility, his exploits in war, or his eloquence gave him. † *Silentium per sacerdotes quibus tum est coercendi jus imperatur. Mox rex vel princeps; prout ætas cuique, prout nobilitas, prout decus bellorum, prout facundia est audiuntur*. It was an high disgrace not to make the example of their prince in battle, an emulative subject of imitation: *cum ventum in aciem, turpe principi virtute vinci, turpe comitatu virtutem principis non adæquare*. It was
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* Tacitus.

† Tacitus.

the leading glory of an ancient *German* to defend his prince, to die for him, and always to assign to him the most gallant feats of valour. *Illum defendere, tueri, sua quoque fortia facta gloriæ ejus assignare præcipuum sacramentum est.* The chiefs fought for victory, their companions for their chiefs. *Principes pro victoria pugnant; comites pro principe.*

It requires but little research into the nature of man, to shew the over-ruling sentiments of honour and ambition which impel him to attain situations above his countrymen. The fair and unforced operations of necessity and nature, suggest rank and variety of conditions among men. In the *British* empire, the natural accidents and contingencies of combined existence, have made besides the people, the orders of nobility and royalty, and each of these orders, two of them personally, and one of them representedly, compose the government.

IN the rudest ages of the world, the natural, though informal acts of society, which sought counsellors from the aged, and leaders from the young and enterprising, gave the first life to customs

customs which matured into the severer institutions of the senate, the executive magistrate, and the assembly of the people. The legislators of *Greece* and *Rome* found the examples for their institutions in every rude and unpolished congregation of men, where the combinations of talent, and the junction of bodily strength, became united for general advantage.*

THE first government of *Rome* united the three orders of King, Nobles, and Commons; and had the royal succession been hereditary, as is the case in the *British* government, the evils which followed from an elective magistrate would have been avoided. The early government of *Athens*, previous to the laws of *Solon*, had the three orders. The government of *Sparta*, as regulated by *Lycurgus*, had a king, the senate, and the people. The government of *Carthage* had SUFFATES, a sort of kings, a senate, and the people; and in common with all the governments of the world, owed its ruin to the preponderating influence of the popular power.

FROM what I have observed, it seems as if the mixed government was the most conformable to
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* Ferguson.

a perfect society, because it includes those orders which naturally arise, unless repressed by the outrage of some arbitrary theory. Opinions of the most dangerous import, are sometimes received and circulated amongst a multitude without the labour of examination, or the conviction of proof. They often acquire their only gloss of probability from the frequency and vehemence with which they are repeated; and resentments or passions founded upon these opinions, may by an unaccountable and irresistible progress, affect a country with the most violent agitations. Mr. *Paley* observes upon this head, that by dividing the society into masses, the progress of dangerous opinions become checked by the prejudices and interests of the separate orders. The alarming discussions of one rank of men, and the apprehensions which gave rise to them, are chilled out of their warmth of probability by the opposing plausibilities and contending prejudices of another order. Untrained in the capricious apprehensions of vulgar conditions, and accustomed to feel above the affliction of popular outcry which is almost always excited by the feigned patriotism of crafty leaders, the nobility receive coldly, and strain to counteract
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the violent opinions temporarily urged, regardless of the numbers who join in the uproar without any accession of pure principle, or sound judgment. Occasions may occur, in which the reluctance of the nobility to yield to popular commotion, may save the state from anarchy and ruin; and though the nobility are not without their bias in opinion, yet it is always milder than the popular sort, and likely to mitigate the ferocious tendency of the other.

It is by the fostering spirit of nobility, that genius has been lured from obscurity, and lifted into elevation; that arts and science have met the most encouraging patronage and protection; and it is from that spring of polished life, that the streams of refined urbanity have flowed through all the windings of society.

AWFUL are the examples of honour and brilliant desert, which are left by the ancestry of our nobility to their descendants. We find the scroll of honour unfolding to us in the records of nobility, the most splendid acts of valour, the purest zeal of freedom, and the grandest display of intellectual greatness. The history of these
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causes of distinction, is fresh in the minds of many noblemen. A man of this rank feels in his breast, it is instilled into him by the tales of infancy, and secured in his mind by the reason of manhood, an abhorrence to shade by derogatory deeds the fair list of honourable ancestry.

THERE is scarcely any man so unversed in the knowledge of his fellow mortals, as not to know to what a justness of action these impressions will excite; even that man, who, without their suggestions, may be influenced by low, vulgar, and sordid motives. These are the gentle arts by which social wisdom, and the fair exigencies of associated man have improved our natures, and covered with the adorning cloak of honour, the unseemly marks deforming the imperfect mortal. Every prop to secure the unstable and tottering value of man, is a high object of social encouragement. Where is the wisdom in throwing away the crutch, when the hobbler cannot walk steadily?

THE merit of every human custom is considerably stamped by opinion; and if opinion annex obedient respect to a ribbon or a star, there is more wisdom in preserving than in rejecting it.

it. Though *France* has been “ *breeched into manhood*,”* yet I do not see that the errors of its youth have been much mellowed by the improved spirit of its adult state. I am inclined to think the honours conferred by the royal favour in England, and the manner of bestowing them preserve as much wisdom and more decency and decorous ceremony, than the civic crowns, conventional sittings, fraternal hugs, and the vile union of bearded masculine lips which are now among the boasts of *French* illumination.

I HAVE said thus much upon the subject of nobility to shew that it is the natural production of society; and I have summarily enumerated a few of its beneficial and improving consequences to prevent the necessity of a description when I come to speak of the component parts of the *British* Constitution. As the government of *England* includes in its principle a religious establishment, I shall also, to prevent the necessity of future digressions, take that subject into consideration.

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WHEREVER

* Paine.

WHEREVER a Church Establishment exists it is founded in its utility; and that utility consists in forwarding a spirit of devotion towards God, and also of the moral duties towards man. It has been often asked what has government to do with religion? Why should not a man follow the dictates of his own conscience in addressing his Creator, when the circumstance affects himself alone, and that when the ties of life are all loosed? It is true government interferes with religion; and for the best reason; because religion interferes with government. Religious and political opinions are so blended together, that they cannot be divided.* Were the professions and controversies of religious sects limited to speculative doctrines only, government ought not, and would not it is probable mediate in them; but the purposes of contest are by no means of such a kind. A struggle for superiority, and not for truth, renders these doctrines only the badges of contending parties. The opinions are only the marks of opposite interests, exerting themselves through incentives of advantage and ambition. There are many, no doubt, who are laudably tenacious of religious opinions, which impress them with such

* Soame Jennings.

such conviction, that they cannot give them up without violating both their reason and their conscience. Of these it may be said, that they are accountable to God alone for their opinions. Very true, while they continue to be *opinions* only, entertained in the mind, and limited to peaceful silent thought, they neither are, nor can be subject to the controul of government. But it is the natural progress of opinion to extend itself to action, and then government takes cognizance of them, not as a matter of choice, but from apprehensions of necessity and self-preservation. Every religious sect holds principles more or less pregnant with political prejudices, which must affect the civil constitutions under which they are professed. Government cannot look with indifference upon these qualities, which may become so dangerous when operated upon by artful discontent or ingenious ambition; she must consequently extend her hand, as her own existence is endangered by her neutrality. She must compose these contentions of heated zeal, and intemperate fury; and she cannot accomplish this necessary object without preferring a particular profession of faith, most consonant to the principles of christianity. She must cherish and protect

teet this religion, mould her public worship to its doctrines, and support its ministers sufficiently and liberally; and by this means she makes it a *religious establishment*.

It is a truth which requires no added force from any man's opinion, that a church and state, considered in the abstract, have no natural connection. It is the folly, ignorance, and depravity of man, which make their union a matter of such ruling caution and necessity, that their separation is indispensable. The civil magistrate has a right to interfere in every circumstance which affects the social welfare. He does not interfere in religion, because it consists in a pious address to the Patron of man; but because it has a ruling influence on, and importantly affects temporal affairs. So far as it is concerned in the affairs of this transient scene of life, he ought to direct it. Beyond that, he does not mediate—he cannot. The salvation of any given man is not endangered by any act which the civil authority may exercise over him; and were professions of religious necessity to exclude him at any time, or through any plea from the civil power, he may always find a plausible pretext for

for denying the controul of human restriction : a circumstance which would perhaps conduce more to his destruction, than to his salvation.

EVERY man stands in the double capacity of an individual and of a member of society ; and the propositions often applied to him as a citizen, holds their propriety only when he is considered as an individual. When it is affirmed that every man ought to prefer that form of religion, and that ceremony of worship which in his judgment appear to be most acceptable to his Creator, it is true considering him as an individual ; but when it is applied to men living in the duties and obligations of society, it is false. A religious establishment is necessary to preserve every state from anarchy and ruin. The great bulk of men in every country is poor and ignorant ; and incapable of making any research into subjects of religion. The peasantry of this, or any other country, would have no religion, if it were to be acquired only by their own enquiry. It is therefore necessary in every state, that there should be a form of public worship upheld at the expence of the government, for the purpose of disseminating the important instructions of religion.

ligion.* If this were not the case, there would be no uniform mode of public worship; no churches built for its celebration; no ministers supported by any other resources than the capricious gift of an ignorant and tumultuous multitude, who would prefer the rejection of these institutions rather than bear the expences of their endowment. Those who had education and leisure, would form whimsical doctrines of religion if they formed any. From this, many sects would ensue, who would nominate their own ministers. These being dependent on the uncertain bounty of their flocks, must indulge their humours, acquiesce to their passions, partake in their vices, and require of them what fashion of faith they would chuse to prefer. None but the poor, the ignorant, and the abject, would assume so low an employment. Thus, while the caprices of imagination, and the impulses of passion, drove a people into this condition, they would divide into as many parties and factious disputations and divisions, as knavery, folly, absurdity and enthusiasm could promote; and violence and obstinacy would mark their contests.†

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* Soame Jennings.

† Soame Jennings.

IN *America*, a mode of supporting the clergy without preferring one sect of christians to another, has been struck out. A tax is levied upon the inhabitants for the support and maintenance of religion in its widest meaning; the tax-gatherer bears a register as he collects, in which are marked at the heads of separate columns, the names of the several religious sects professed in the country. The man who has paid his contribution immediately subscribes his name to any of the religions he pleases; and the amount of what is subscribed in each column is paid to the minister of that sect. Here there is no choice as to the quantity of the assessment, nor is it optional whether the man will contribute to the support of a christian ministry; his choice operates solely in resolving to what sect he will bestow his contribution. The objection to this plan though a good one of the kind, is, that if the parishes or districts be small, the various sects must make the contribution heavy to the people; at the same time that it must be inconsiderable to the several ministers, and consequently not likely to allure men of learning and talents into the ministry. If the districts or parishes be enlarged, another inconvenience must arise; which is, that
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the place of worship will be too far removed from many of the inhabitants to assemble at it. The number and wealth of the different sects, must also make the profits of the teachers; and this will consequently induce them to try every means of increasing their followers, by making profelytes, and by other causes, in order to improve their own revenues.

It is obvious, that the knowledge and the profession of the christian religion, cannot be supported without a clergy; that a legal maintenance is necessary for the support of that clergy; and that one sect of christians must be preferred to the rest to effect that legal provision; and therefore an established religion is necessary in every state, under the shelter and protection of the civil power.

THE legal provision made for the clergy of the established religion, should be easy and liberal, so as to tempt men to risk the charges of an expensive education, through the hope of a generous income. By this, many acquire both learning and leisure to expound whatsoever is obscure in the ancient writings which contain the spring from whence the principles of our religion flow.

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Men must be skilled in the original languages for the purpose of explaining the scriptures, which have descended to us with so many unavoidable obscurities from the remote times of their origin, as to require learned interpretation. It is no argument of prevailing opposition to say, that there is no established order of clergy in *America* to fulfil those purposes, and yet that the people are as exact in their devotion as in any other country. *America* is a new establishment: her divines have set up with that stock of scriptural intelligence, which the learned men of preceding ages have been accumulating in every nation where christianity is established. But the condition of the *British* empire excludes all similarity. Had the government of *England* never appointed a church establishment, it is not improbable but we should have been ignorant of many important truths in christianity. But from the regulations which have taken place, men of abilities have become ministers of religion; and it is well known what share our *English* divines have had in those discourses and enquiries which have tended so much to enlighten all Europe. It would be arrogant and presumptuous, as well as ungrateful and unjust, to say, that we are now wise enough, and that the clerical revenues ought

to be lessened. He who should presume to say, that we are above the necessity of future research into the principles of our religion, would betray a spirit of ignorance and wickedness; and he who should imagine that men of genius would devote themselves to enquiry, in a profession degraded by a stinted emolument, and opening no views of elevation to honourable ambition, would manifestly expose his ignorance of the human character.

I PROCEED now to consider the *British* Constitution in a summary way. Pre-existent systems and speculative ingenuity, had but little to do in the formation of this splendid form of civil policy. The suggestions of nature principally, and the state of expedience subordinately, have through a course of ages, been forming and forwarding its present perfection.

AFTER the *Roman* yoke had been withdrawn from the neck of *Britain*, the *Saxon* customs superseded their victories, and at last extended themselves throughout the island. When the necessities of war were over, and the *Saxon* settlers became possessors of the conquered lands, the general in war became in peace a king; his offi-

cers

cers formed the next order, nobility, and the body of his soldiers became mellowed into obedient freemen. The lands of conquest, and the portable spoils of war, became divided in the same proportion among the soldiery. In the accustomed partition, a large share fell to the lot of the king, which gave him a power sufficient to exercise as proportionate an authority over freemen, as he had before exerted over conquering soldiers. By the *Saxon* customs, the subordinate divisions of spoil, depended upon the optional distribution of the king, he therefore bestowed them according to the merits of his followers, giving some on various tenures, requiring for others various services, which together with the vassallage of the conquered *Britons*, who held lands upon the terms allowed them by the victors, gave rise to a vast variety of tenures. Thus the whole island became settled after this manner, without any predetermined mode of arrangement.

THOUGH the government by these circumstances, became composed of a king, nobles and freemen, who appeared in person as the kingdoms were small, and the conquered people had no power of interference, which made their assemblies

semblies contain the fewer, yet as the different limitations of their powers were not accurately defined, several and mutual encroachments took place between the king and the nobles. The people during these contests, were unable to exercise their rights to their full extent. The clergy of this time possessed an over-awing authority, and though in some degree they did oppress the people, yet they also afforded them considerable protection from the exactions of the rival powers in the state. Time, and the wisdom of a few kings, at last methodised the government, by ascertaining the separate measures of authority more correctly, and by giving among them a more definite power of mutual restraint. The irruptions of the *Danes*, and the subsequent conquest of the *Normans*, deranged for a while the machinery of *Saxon* policy. The *Normans*, on account of the partial advantages which they reaped from the oppressions exercised over the *English*, permitted the rigorous authority of *William* to exist, rather through their forbearance than through his right to exert it; and their descendants, not unmindful of their ancient liberties, did not tamely suffer the posterity of the Conqueror to persist in arbitrary rigours.

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The people, incapable of union and collective energy, could exert no effectual opposition against violent authority; but their nobles became the champions of their cause, and the lighteners of their sufferings, and at last curbed the vehemence of despotism. This, together with the gratuitous concessions of usurping princes, at last established for the people a covenant of negative security, by the prohibition of wanton and disgraceful exactions. They insensibly acquired importance from acts of this sort, which opened the way to justice, and lent security to their persons. Afterwards, when the power of the nobles acquired a dangerous ascendancy, it was the policy of the kings to bestow such popular privileges as may check the attempts of the Barons, till at length, after profitting to an happy degree by these contentions, the people acquired sufficient legal power to oppose both the king and the nobles. As excited by the Barons or the clergy, kings were dethroned, and others forcibly acknowledged by the power of the people. Their liberties became gradually more confirmed; some grievances were palliated, and others removed; exacting ministers became punishable, and wholesome laws were enacted for the nation in general.

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Under a grievous pressure of disadvantages, the native strength of the House of Commons supported itself for some centuries. At length it became extended by laborious exertion, its privileges expanded by degrees, and it eventually became to all purposes of power, a third part of the government. Many causes co-operated to uplift the power of the Commons. Vassallage was abolished; the estates of the nobles became legally alienable; and the greatest weight of property fell into the possession of the people. This was also increased by the despoliation of the clergy, whose immense revenues became lessened, and the redundance scattered among the Commons by the Reformation. The expanding energies of commerce begat additional resources of wealth, and the Commons were growing into a power above being injured either by the clergy or the nobles. In this point stood things, when *Queen Elizabeth* ascended the throne. Her vigorous perceptions of expediency, taught her the art of preserving a balance between the component parts of the government. Each had its appropriate efficacy, though she preserved her own power unweakened.

HER successor *James*, had other impressions of authority less wise, and less safe. Without courage or wisdom, he aimed at arbitrary power ; but the progress of his schemes was opposed with effect by many, and particularly by the *Puritans*. His son and successor, *Charles*, had many amiable qualities, but was utterly unfitted for the fatal situation in which he had been placed. His judgment distorted by zeal, was violent in decision ; and his obstinacy to his prepossessions was not to be shaken. He was bigotted and vindictive, hated parliaments, and was a hot zealot for single authority. Laws were broken, and arbitrarily interpreted. He granted privileges, confirmed them solemnly, and broke them immediately. Fifteen years active despotism, uninterrupted by the assembling of a parliament, awoke such a spirit of dissatisfaction, and aroused such an enthusiastic ardor for freedom, that opposition to the court was synonymous with virtue. The claims on the crown, were many, and not improper ; and when the king acceded to any, his concessions were so reluctantly made as to rob him of the public confidence. Individuals became endangered in this contest with the crown, and the nation considered itself as bound to protect

test and support them. The King and the parliament took up arms against each other. The popular power was solicited by both parties, but the nature of the quarrel obtained it for the parliament. All bonds of restraint were now removed, and the people were let in to interfere. The best men became imposed on, and wise men were obliged to yield to powerful ambition. Individual exaltation is the spur to collective fury, and popular uproar is but the ladder by which ambition mounts.

AT this æra an obscure individual, uplifted by the throes of public distress, usurped that power, for which the King had been murdered. *Cromwell* was a man, whose ambition had been swelled by the co-influence of various events; who had coolness enough for the most circuitous intrigue, and warmth enough for the most headlong enthusiasm. He was bold, cunning, and hypocritical; and such was the temper of the times, that this last despicable quality was perhaps not the least necessary to his power. He directed the arms of the nation with success; but he broke through every law, general and particular, with a most over-ruling tyranny. At the death of
Cromwell,

Cromwell, the nation was so weary of anarchy, that *Charles* the son of the murdered King was placed upon the throne of his father. But *Charles* the Second was less instructed by the errors of his father, than the people were by their confusion; and encouraged by the designing, and not opposed by many good men, who dreaded the fatal abuse of popular resistance, his wishes of dominion were scarcely less moderate than those of his predecessor. Political prostitution, vice, and immorality stain the character of this reign. In the following, the principles of despotism received a most galling exaggeration by the super-added violence of unrelenting bigotry. Folly and enterprize went hand in hand to the destruction of the government and the established religion. But the alarm was too general, and too awakening to all ranks. The nation loved those advantages of which a weak bigot would bereave it.—The circumstance begat a contest, out of which arose an awful and happy necessity, which led to the perfection of the British Constitution.

THE Great Charter, the Petition of Right, the Statute *de tallagio non concedendo*, and the act of *Habeas Corpus*, are so many impenetrable securities to *British* freedom; and the act which has

set the present family upon the throne, and adjusted the succession to the crown, is not inferior to any charter or covenant ever yet enforced or consented to for the preservation of our liberties. It is one of their firmest bulwarks. It is an explicit bond between King and people for the welfare of both. It is the more obligatory and irrefragable, because, it has for its basis, the clear sense of their mutual benefits; to the exclusion of every pretence of future dissatisfaction, whether grounded on imposition, through force, on one side, or through incautious acception on the other.

THE *English* Government is composed of the three pure forms, the Monarchy residing in the King, the Aristocracy in the Nobles, and the Democracy in the representatives of the people, —the House of Commons. By this combination, the advantages of the individual forms are all preserved, and the greatest of their distinct inconveniences are excluded.

MR. *Paine* observes, in that indiscriminate fling of censure which marks his writings, *that the people of England have no Constitution*. This I deny. They have the best Constitution that ever yet promoted

promoted the happiness of a nation. But this gentleman supposes, (and a very arbitrary supposition it is) that a Constitution signifies a thing antecedent to government, and that the laws are to assume their colour from the spirit of this Constitution. In the first place he gives an interpretation of the word *Constitution*, which is neither warranted by its etymology or its customary application; and consequently he must mistake. A Constitution signifies, according to *Johnson*, an established form of government—a system of laws and customs; and therefore it must be forced out of its meaning, when it is said to signify a thing antecedent to government, to laws, and to customs. Every civilized nation has a Constitution such as it is, whether good or bad. To support Mr. *Paine's* definition of a Constitution, it is necessary to suppose as a truth what has never yet happened: that the laws and customs of every nation have been formed out of some general principles consented to by the agreement of the inhabitants. Government has its origin in every country from very different sources than those of conventions and stipulated contracts between the governors and the people.

THE Constitution of *England* signifies the combined result of the laws, so far as they relate to the intention and form of the legislature ; the rights and powers of the several parts of the legislative body ; the form, office, and authority of courts of justice. The Constitution expresses in its import, the collective effect of acts of parliament, of decrees of courts of law, and of long established usages and customs. Instead of a Constitution being pre-existent to a government, the contrary is the positive fact. The government arises out of the interests and necessities of a nation ; and is influenced by the contentions, successes, defeats, and opportunities of different ranks and different factions in the community. The Constitution then expresses the character of the government ; and where there is no government there is no Constitution.

To suppose that a Constitution signified a thing antecedent to government, is to imagine that previous determinations, must direct future events which depend upon accident or chance. It would be absurd to suppose that a navigator going in search of discoveries, was under the necessity of describing upon a map, the shores and
coasts

coasts which he expected to discover ; and to navigate according to those regions which his fancy and his expectations co-operated to produce. His discoveries would depend upon his wisdom and his good fortune, and not upon the fancies of what he expected to find out. According to the modern definition of a Constitution, it appears to be a sort of legislative chart, previously sketching out unexplored regions of civil policy before that civil policy exists, and when it is impossible to foretell in what degree chance and a multitude of fortuitous circumstances may realize or disappoint the designs of the legislator.

WHEN we examine the Constitution of *England*, we find the provident and safe turn of its spirit well expressed in the preference which it gives to a monarchy that is hereditary, before one that is elective. It is one of the indubitable maxims of political science, formed and determined by the experience of ages, that an elective monarchy exposes a country to the most dreadful and dangerous contests and factions. The splendor of the object would naturally call forth every machination which may promise success to the competitors, who looked to no less a reward than a crown.

crown. Every King would then owe his dignity and revenues to the favour of a party; and while he zealously laboured their promotion, he would conform to his jealousies, and look upon the opponents to his election, not as subjects but foes. Disappointed ambition with all his blighted hopes and discouraged partizans, would not fit down in satisfied acquiescence to the authority of the man with whom he contended. The greatness of the prize would, it cannot be doubted, affect all orders of men; industry would be interrupted, the public peace disturbed, and all those tumults and dissensions would follow which are inseparable from popular election.

ALL these dangerous causes of confusion and faction are avoided in a monarchy which is hereditary, and where there is a well-adjusted line of succession. If a theorist were to consider the *British* constitution, he would probably be startled at its theoretical deformity. Considering the authority and powers of the king, he would see that his person is inviolate; that he has the power of rejecting laws, which have been promoted and decided upon by both houses of parliament; that he has the power of immediately conferring optional honours in the House of Lords, by
which

which means he could easily procure a majority of votes upon any great question ; that he has the power of conferring charters upon any body of men he thinks proper to institute corporately, who then possess the privilege of sending members to parliament ; and that he is at the head of the army and navy. These are all theoretically formidable—but we know that they are practically inoffensive ; that they are but ceremonial harmless prerogatives which give more ornament than force to the crown.

THE *British* government has, like every other, two interests different, but not opposite, and consistently attached to each other. These are to provide for the prosperity of the people, and also for its own permanency.

THE first of these objects is fulfilled by many and sufficient means. Any member of the community may by various causes qualify himself for becoming a member of the senate, by which means salutary public laws are likely to be obtained. For every individual member acquires the right of offering to the judgment of the legislature, whatever law appears to him generally advantageous, or temporarily expedient.

EVERY

EVERY district of the empire possesses the privilege of electing representatives; who by their knowledge of local interests, and the desires of their constituents, can exercise their right of communicating on either head to the national council. The lowest subject is not without the means of claiming the public attention to his complaints through the medium of some one of the senate.

As the privilege of voting for members to represent the people in parliament, appertains to various qualifications at different places, all orders in the community by these means become in effect represented. There is no respectable and liberal pursuit, that of the Church excepted, of which some professors may not be found among the members of the House of Commons.

LANDED property so effectually communicates influence, that a great number of men of large estates will be always found in parliament; and the manner of election conduces to this end, that men of the greatest eminence and the greatest influence of character, wealth, and station, are the most likely to prevail in the contests for representing large districts.

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THE great variety of professions, interests, characters, fortunes, and qualities among the members; the limited continuation of their power, and the change of persons produced by new elections, altogether weigh in favour of the public; as they exclude the power of external authority from availing for any time among the members, and also the possibility of their uniting to the prolongation of their own duration or authority. The general intermixture in society, by which members, constituents and others, become blended in their interests, prevents the enactment of any laws which do not affect the senator, as well as the other orders of the community. The propounding, or the forwarding of laws conducive to the public utility, is the best pretension a candidate can have for the favour of his constituents; and this cannot be well concealed, as the public are acquainted with the parliamentary conduct of each member.

THUS, whenever want or expediency may wake the public voice, intelligence is collected, various inventions are exerted, and various degrees of information and ingenuity are brought at once to operate on the subject. Whether necessity, remedy, or improvement, should excite the
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the discussion, the best result is the most likely to take place ; and the most easy and advantageous proposals for the public welfare, are most likely to receive the sanction of a majority.

THE administration and limited authority of an hereditary king, possesses the executive part of the government, By a prompt and vigorous exertion of the laws, he preserves the people in order and tranquility at home ; by the spirit and energy of military power, by the secrecy, resolution and dispatch, which distinguish the decisions of regal councils, he promotes and protects their credit and interest with other nations.

In defending the empire ; in maintaining its power, right and dignity with foreign realms ; and in the formation of treaties of trade, and stipulations for its advancement ; in providing for the administration of municipal justice, by a nomination of proper magistrates, the king is entrusted with ample and useful powers by the Constitution.

THE House of Lords is composed of an hereditary body of nobles, recruited at different times, and on different occasions; according as the
royal

royal power may think proper to dignify those servants who have deserved well of the state. A limited number of ecclesiastics are admitted into this House, which is more equitable than the utter rejection of the clerical order from the House of Commons. Naturally existing under the shelter of royal favour, the nobility stand strongly allied to the interests of the king; but should he aim at any unconstitutional extension of power, they would check it, as they would become under an arbitrary monarch but the painted shadows of legislative power, instead of being hereditary partakers in the councils of the nation. Holding an interposed place between the royal and the popular power, the acquisition of their support would avail in counterbalancing the dangerous ascendancy of either branch; and without possessing power enough to effect any object of predominant authority themselves, they serve to preserve that equipoise in the government upon which its safety depends.

THE interests of the people are further provided for by the manner of taxation, and also by the administration of justice.

EVERY

EVERY law which can by the lightest interpretation, threaten to raise revenues upon the property of the subject, must commence in the House of Commons. By this regulation, the levying of taxes is reserved to the popular part of the constitution, who will consequently understand the necessity of those taxes which they are to bear in common with their fellow-subjects.

THE disposal of the public money is also regarded with the same caution as the levying of it. Many taxes are annual; others are disposed to particular services, and the expenditure of all of them is formally accounted for in the House of Commons, which previously examines all calculations of expence in the purpose for which they are wanted.

IN the adjudication of punishment, the authority of the crown and of the magistrate which it ordains, is limited by fixed and determined boundaries. Twelve men of the same condition with the offender, indiscriminately chosen out of the county where the offence was committed, must pronounce his guilt; and the laws which described the crime, and affixed the punishment

punishment, have decided the manner and extent of the latter, without regard to any particular culprit.

As the arbitrary confinement of individuals obnoxious to the executive government, is particularly to be dreaded from the strong hand of the latter, the constitution has provided against this possibility with the most circumspect solicitude. Illegal imprisonment is now utterly obviated by the act of *habeas corpus*, and the customs and decisions of the superior courts founded upon such cases. The charge of treason being the most likely plea for persecuting an individual by the government, and the government being a party in the accusation, the liberality of the law has mitigated the inequality of the contest, and has allowed to the accused extraordinary indulgencies. By two statutes made since the Revolution, every person accused of high treason must have a copy of his indictment, a list of the intended witnesses, and also of the jury impanelled, given to him ten days before his trial; and the testimony of two witnesses is necessary to his conviction.

It is a fundamental rule of civil jurisprudence, that the legislative and judicial functions should be divided, and this rule is most particularly observed in the *British* constitution. The laws are enacted by parliament without knowledge or partiality, as to those who may transgress them ; it knows not those upon whom its acts will operate. By these laws the courts of justice must abide, and the decision must be according to them, and not according to the designs, prejudices, or partialities of those who sit in judgment. The independence of the judges strongly promote the due and impartial execution of the laws ; and the smallness of their number, as it precludes the possibility of dividing the shame of unjust dealing, makes every individual on the bench more conspicuous, and more responsible in his distinct situation for the decisions to which he consents.

THE courts of law are carried on with open doors—*apertis foribus* in the presence of accidental auditors, and also of those in the profession of the law—by which means no partial verdicts can be clandestinely given, or privately enforced ; but all is carried on under the attention and watchfulness of the public.

By the admirable institution of a jury being added to the wisdom and learning of a judge, an effect follows in the fairest spirit of judiciary advantage. It causes a most fortunate combination of chance and choice in the constitution of that court, when the prisoner is tried. This guards him from the danger of venality in the judge, and from ignorance in the jury, who are to decide upon his rights. The judge communicates to the jury the benefits of his professional learning and wisdom; and the jury by being disinterested, destroy any unjust partialities in the judge, whether excited by prejudices or corruption.

THE law of England has appointed itinerary courts for the distribution of justice; and the magistrates and the advocates, as they are accustomed to the rules of adjudication in the superior and permanent courts, convey the same modes and ceremonies of decency and decorum, and the same interpretations of the law. By this regulation, no man has a tedious and expensive distance to travel to bring his complaints before the tribunal of justice; but the suitor is heard, and the prisoner adjudged, with becoming formalities; and the whole regulation includes in its appointment, the most extensive justice, and the readiest convenience.

As the protection of the subject from wanton exercises of arbitrary authority, and also the preservation of peace and personal security in the administration of justice, compose the leading advantages of every society; these great objects are most unequivocally secured by the *British* Constitution.

THE Constitution effects the other great object—its own preservation, by means as adequate to the end. The internal balance which the antagonist powers of King, Lords, and Commons preserve, keeps entire the government; and as this restraining ability in each individual part is never inactive, the Constitution can never be overturned by any other than some power extrinsic of itself. Thus the King's negative can prevent the votes of the two Houses from passing into a law subversive of royal authority; while on the other hand, a vehement or arbitrary exertion of this negative, is intimidated by the power which the parliament holds, of refusing supplies of money to the necessities of the royal administration.

THERE is a maxim in the *English* Constitution, that “the King can do no wrong.” Though
this

this has incurred the reproach of some of the vehement railers and theorists of these enlightened days of anarchy and uproar, yet it is founded on the surest basis of political wisdom. As it would occasion a civil war if any punishment were intended against the King, the Constitution has sheltered his person by declaring it inviolate; but lest this impunity should betray him into any licentious exercises of authority, many formalities are necessary, previous to any execution of his power. Certain solemnities and ceremonies attested by particular officers of state, must be necessary to declare the pleasure of the King. In some instances the Secretary of State must signify the order of the crown; in others the privy seal must be affixed, and in many the great seal. Thus when the king's order is regularly signified, no bad issue can take place without the concurrence of the ministry, and the compliance of those to whom its execution is directed. No person who has been accessory to an illegal action can plead the order of the King in extenuation of the offence committed against the Constitution. This maxim, that "the King can do no wrong," is opposed by another as constitutional, "that the illegal commands of the King do not justify those who assist, or concur, in

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carrying

carrying them into execution ;” and also by another, “ that the acts of the crown acquire not any legal force, until authenticated by the subscription of some of its legal officers.”

THE direction of the military force of the kingdom, which consists in the authority of the king, is awed out of the possibility of being directed against the liberties of the people, as their representatives must vote the supplies necessary for the support of the land forces *every year* ; by which they possess the power of annihilating the army by refusing to vote the means for its support. The King has the power to declare war ; but if this be exercised through views of private passion or interest, the parliament can check its execution by refusing the necessary supplies. The King has the choice of his ministers ; but he is under the necessity of appointing men adequate to their several stations, who are individually responsible for their official acts ; and so ruling is this necessity, that men who have most warmly opposed the royal inclinations, have for their talents and political competence, been afterwards preferred to the highest stations.

THUS

THUS considering the *British* constitution, which has arisen out of the natural exigencies of the society collectively, which has not been the result of frigid theorists who would modify the human character to their legislative visions, we find it possessing every benefit which is pompously professed by the rhapsodists for innovation and new-fangled systems of civil policy. If personal security be considered, we see how unequivocally it has been ascertained by the laws, and that it cannot be infringed by those in authority without the punishment of whosoever may administer its violation; nor by those out of authority without the penalties and hazards annexed to the act. In the formation of laws, we must observe what sufficient deliberation must precede their enactment, from the ceremonies by which they obtain the legislative sanction; and that the open discussion of their probable benefits or disadvantages, must make the public judgment to understand their expediency.

FROM the organization of the British government we become impressed with a reality, that its several restrictive powers of controul promise its preservation longer than could be reasonably hoped from any of the distinct forms of govern-

ment ; and when the value of a government is proved by a long series of beneficial energies promoting general prosperity, the probability of its duration becomes no inconsiderable part of its merits. Upon any obvious expediency for an adaptation of itself to any ruling necessity, the mixed government has this pre-eminence, that it can effect that end by sober, legal, safe ceremonies, and atchieve its renovation without violating itself in any part. Thus the government cannot be endangered, though the influence of the crown should happen to receive a necessary limitation ; nor is its safety more at stake though any abuses in the House of Commons should call for wholesome changes, and promising reformation. The remedies can be safely administered, and the evil complained of wiped away ; without entailing those confusions and dissensions on the people, which may rouse the projects of knavish sedition or dangerous ambition.

WHENEVER any subject of reform is proposed, too much caution cannot be used in considering previously the probable result of the change. What is practically good, not speculatively perfect, alone claims the preference. There is a vitiated sensibility even among men who possess
honest

honest views, which shrinks at the imaginary perception of political calamity, and which in its zeal for amendment, is often unwise enough to overlook the danger of the remedy. But changes should neither be proposed or performed in accommodation to this forenesh. Innovations in government generally disappointment the promoters by unexpected events, and the intended consequence is often sacrificed by some contrary result. The advantage foreseen is often defeated by adventitious occurrences, too hidden and too remote to be apprehended; and the same causes will often extend that mischief which appeared at first too improbable to be dreaded.

IN the political perplexities which proceeded the Revolution in *France*, the privileges of the nobles received some abatement; and incensed at this act of the King, they inclined to the side which gave opposition to the court. The Peers of *Paris*, by indulging this wounded pride, meant only to impede the efforts of government, and by this to reduce it to an accommodation, in which the restoration of their privileges should make a leading condition. But the object proposed never took place; for by bestowing their aid to the popular party, they promoted the ruin
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of themselves and the government; and the subsequent horrors of faction and popular outrage, brought on millions of atrocious enormities, but all comparatively finall to that dolorous act of judiciary murder, which tore from existence one of the best monarchs that ever swayed the sceptre of *France*.

A SPIRIT of faction may artfully propose imposing alterations in government, loaded with promises of advantage; and the most suspicious caution is necessary to discriminate it from a spirit of liberty. It has been said by many, that the most vehement advocates for liberty have always proved the greatest tyrants whenever they have seized upon the reins of power; and the intelligence of history stamps this saying with a degree of truth not to be effaced. The love of liberty in a subject expressed in virulent censures on the established restraints of government, is simply an impatience of controul. And that impatience of controul, which in a subject seems to constitute a patriot, would in the exercise of authority become tyranny; for such a liberty arises more from being governed at all, than from being badly governed.

DEMOCRATIC

DEMOCRATIC declaimers attribute to the governors, all those evils which the imperfection of man makes inseparable from human governments. As the vices of man make governments necessary, all that is imperfect in them must be attributed to that cause. Crimes require punishment, and venality allures corruption. The ambition, the avarice, and the profligacy of the many, impel the governors to the necessities of wars, which may afterwards incur the censures of those who were the remote causes of it.

LIBERTY is a great and valuable blessing, but like every other good is perverted by excess. No larger share of it is to be coveted than is necessary for our happiness; and the degree of that is to be understood by the real practical prosperity which we do enjoy, and not by that which we may be promised, but never receive.

AN enslaved people cannot change much for the worse—and they may become free. But of a free people, who have once launched into change for uncertain advantages alluringly recommended to them, no certain issue can be prognosticated. The worst is to be expected. The most probable event is the tyranny of a few;
and

and once enslaved, freedom is only to be regained by struggles as bloody as those by which it was lost.

WHATSOEVER is necessary for social welfare, the *British* constitution affords with the most benevolent liberality. The immeasurable energies of commerce are animatedly acting throughout the empire. Religion is maintained and upheld by the munificent aids which the constitution affords it. Arts and sciences are attaining to a most extended participation among all orders of the community. The Empire is irresistible abroad, peaceful and prosperous, and ripening into new improvements at home. What then is wanting? Is it because *liberty* and *equality* are preached as the rights of unaccommodated man outside the shelter of society, that these blessings are to be rejected? Is it because the term *citizen* is preferred to *lord* or *duke*, that these happy advantages are to be sacrificed to squeamish theories?

LET us beware of theoretical innovators. Let us heed not the imposing cants of frantic pamphleteers, nor the florid declamations of giddy clubs. We experience in actual benefits a practical

tical answer to those railers against our constitution ; and we know that it is more likely to endure and to prolong its benefits than any other human wisdom ever yet devised. Let us to the wisdom of our attachment, a stern rejection of every cheating invitation to theoretical advantage ; whether pronounced by the zeal of folly, or the fallacious views of interested ambition.

THE *British* constitution perhaps has its imperfections ; but consummate perfection is not the character of human institutions ; some error must impress itself at least upon the surface of whatever is designed by man. But while these errors are lost in the comprehensive result of multiplied excellence, it is wiser to preserve them as they are, rather than in the hurry of headlong inefficient remedy, to pluck up many wholesome roots with every little idle weed, and perhaps to leave it all at last a confused, unguided, unbeneficial instance of precipitate alteration.

THEOCRACY itself, the immediate authority of God over men, had according to the *Jewish* historians, its inconveniencies. Neither the religion nor the state, could be preserved in their intended

intended purity, though the people were guided by the supernatural councils of the itinerant oracle, and commanded by the awful communications of terrifying and incomprehensible power.

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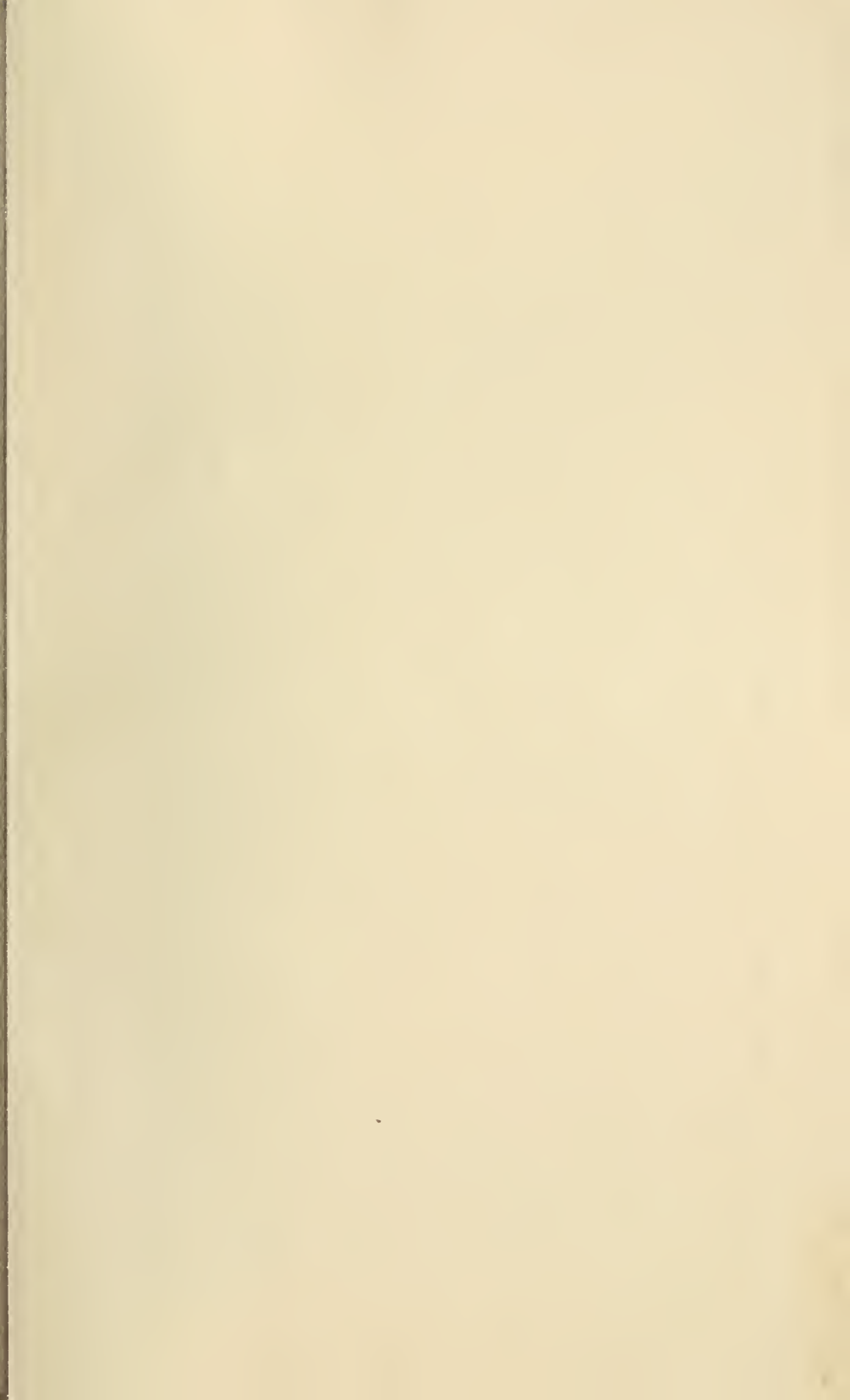
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